

REMARKS

Claims 1-8, 10-12, and 14-22 are now pending in this application. New claim 22 has been added by this amendment. Each of the pending claims is believed to define an invention that is novel and unobvious over the cited references. Favorable reconsideration of this case is respectfully requested.

Claims 1-7 have been rejected under 35 U.S.C. 112, second paragraph as being indefinite. The claims have been amended to overcome the informalities noted by the Examiner. It is respectfully submitted that all pending claims are now in all aspects in compliance with 35 U.S.C. 112. Therefore, the withdrawal of this rejection is respectfully requested.

Claim 1 has been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 4,773,071 to Nielsen. Nielsen does not anticipate the present invention as it does not disclose, among other things, overwriting the information contents in memory cells with a pattern based upon a digital pattern at least two times at a second rate that is greater than a first rate after detecting tampering.

In embodiments of the present invention, a volatile semiconductor memory is erased upon detection of tampering. During normal processing, information contents is written in the memory cells at first rate. After detecting tampering, the information contents in the memory cells is overwritten at least two times at a second rate that is greater than the first rate, for example, as recited in independent claim 1.

Nielsen makes no mention of overwriting the information contents in the memory cells at a second rate greater than the first rate after detecting tampering. Nielsen describes a memory that is capable of accepting data bits being transmitted at different test rates, see column 1, lines 35-39. There is no disclosure or teaching in Nielsen of writing memory information in content in memory cells at a first rate during normal processing and overwriting the information contents in the memory cells at a second rate, greater than the first rate, after detecting tampering.

Additionally, new dependent claim 22 recites that the first rate is generated using a processor and that the second rate is generated using a oscillator that is separate from the processor. In contrast, a single clock is used in Nielsen to write the data to the memory, see col. 4, ll. 12-37.

It is well known that for a reference to anticipate a claim under 35 U.S.C. § 102(e) there must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. See *Scripps Clinic & Research Foundation v. Genentech Inc.*, 18 USPQ 2d 1001, 1010 (Fed. Cir. 1991). The application of Nielsen et al. by the Office fails to meet this criteria, and Claim 1 is allowable over Nielsen et al.

Claims 2-7 have been rejected under 35 USC 103 as being unpatentable over Nielsen in view of Jacobson. Claims 2-7 are allowable as being dependent from an allowable claim. Jacobson does not supplement Nielsen to teach or suggest the claims invention. Therefore, the withdrawal of this rejection is respectfully requested.

Independent claims 8 and 16 have been amended to recite similar subject matter as independent claim 1. Consequently, each of independent claims 8 and 16 is believed to be in allowable form. The remaining claims are allowable as being dependent from an allowable claim.

If the Examiner is of the opinion that the prosecution of this application would be advanced by a personal interview, the Examiner is invited to telephone undersigned counsel to arranged for such an interview.

The Commissioner is authorized to charge any fee necessitated by this Amendment to our Deposit Account No. 22-0261.

Application No. 09/875,977
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In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By 

Jeffri A. Kaminski

Registration No.: 42,709

James R. Burdett

Registration No.: 31,594

VENABLE LLP

P.O. Box 34385

Washington, DC 20043-9998

(202) 344-4000

(202) 344-8300 (Fax)

Attorney/Agent For Applicant